

Message

From: Fite, Mark [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=2AEC26020C954F7AAC1D0EA918827C7D-FITE, MARK]
Sent: 11/15/2017 10:08:09 PM
To: Gordon, Scott [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fad8601408b41f3a56e6ffa976518a8-Gordon, James]; Ireland, Laurie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2c8a8de28e004917a263e164468e4699-Lindquist, Laurie]; Kemker, Carol [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=765ad99166db4233bd15febf6e9917b3-Kemker, Carol]; Toney, Anthony [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b977b6c39557465c8e1840a451687ae4-Toney, Anthony]
CC: Sisario, Kelly [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=80bf7350dcb84324bbf61ef230d573f5-Sisario, Kelly]
Subject: FW: Chemours - Enforcement Coordination Call -
Attachments: HRE Cover letter Oct.17.2017_Chemours.GenX.Results_final jg.docx; HRE_PWW-resident-sampled_FINAL_form jg.pdf

Keeping you in the loop.

Mark J. Fite
Technical Authority for CAA, TSCA, FIFRA, & EPCRA
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U.S. EPA Region 4
61 Forsyth St., SW
Atlanta, GA 30303
fite.mark@epa.gov
404.562.9740

From: Jones, Aaryn
Sent: Wednesday, November 15, 2017 4:52 PM
To: Allenbach, Becky <Allenbach.Becky@epa.gov>; Speir, Jeffrey <speir.jeffrey@epa.gov>; Schwartz, Paul <Schwartz.Paul@epa.gov>; Shell, Karrie-Jo <Shell.Karrie-Jo@epa.gov>; Fite, Mark <Fite.Mark@epa.gov>; Hall, Renea <Hall.Renea@epa.gov>
Cc: Davis, Molly <Davis.Molly@epa.gov>; Buso, Roberto X <Buso.Roberto@epa.gov>
Subject: RE: Chemours - Enforcement Coordination Call -

Hi all,

I haven't been able to reach anyone in the state program this afternoon who knew the quick answer to this question, but if I find out I will update the group. Attached is an example of the cover letter and sampling result communications the NCDEQ Waste Division has been sending out to residential well owners whose wells have tested above the 140ppt GenX health goal. Unfortunately, these communications do not reference the authority used to direct bottled water either. The NOV that was issued to Chemours on September 6, 2017 cites violations of the state's 2L groundwater rules, but I haven't had a chance to fully explore the statutory authorities of that rule.

I will try to get clarity on this prior to the meeting and will let you all know anything I learn. Thanks,

Aaryn Jones
Environmental Scientist
U.S. Environmental Protection Agency

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From: Allenbach, Becky
Sent: Wednesday, November 15, 2017 2:38 PM
To: Speir, Jeffrey <speir.jeffrey@epa.gov>; Schwartz, Paul <Schwartz.Paul@epa.gov>; Shell, Karrie-Jo <Shell.Karrie-Jo@epa.gov>; Fite, Mark <Fite.Mark@epa.gov>; Hall, Renea <Hall.Renea@epa.gov>
Cc: Davis, Molly <Davis.Molly@epa.gov>; Jones, Aaryn <jones.aaryn@epa.gov>
Subject: RE: Chemours - Enforcement Coordination Call -

It may be their groundwater authority. I am copying Aaryn Jones in RCRA who may know that answer

*Becky B. Allenbach, Chief
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Water Protection Division
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From: Speir, Jeffrey
Sent: Wednesday, November 15, 2017 2:32 PM
To: Schwartz, Paul <Schwartz.Paul@epa.gov>; Shell, Karrie-Jo <Shell.Karrie-Jo@epa.gov>; Fite, Mark <Fite.Mark@epa.gov>; Hall, Renea <Hall.Renea@epa.gov>
Cc: Davis, Molly <Davis.Molly@epa.gov>; Allenbach, Becky <Allenbach.Becky@epa.gov>
Subject: RE: Chemours - Enforcement Coordination Call -

Hi Paul, Karrie-Jo, Mark, and Renea:

I wanted to reach out to your respective offices, division, and branches in advance of tomorrow's Chemours call. As Mark Garvey mentioned, I may give a quick recap of Monday's NOV on the call. I recognize that you all are much closer to the action, so please feel free to provide input or corrections at any point.

On another note, do any of you know what authority North Carolina is using to direct Chemours to provide bottled water to nearby residential well owners? I found a provision (below) in the State's laws, but I am unable to find any specific reference to that provision (or an Emergency Plan for Drinking Water) in any of the State's news releases (e.g., on [9/21](#), [9/27](#), [10/4](#), [10/17](#), [11/3](#)) regarding the direction to provide bottled water. Additionally, I have not been able to find documentation of any more formal orders by the State for this direction.

N.C. Gen. Stat. § 130A-323.

Emergency plan for drinking water; emergency circumstances defined.

- (a) The Secretary shall develop and implement an adequate plan for the provision of drinking water under emergency circumstances. When the Secretary determines that emergency circumstances exist with respect to a need for drinking water, the Secretary may take action in accordance with the plan as necessary in order to provide drinking water.
- (b) Emergency circumstances shall exist whenever the available supply of drinking water is inadequate.

Please let me know, if you know. Thanks!

-Jeff

Jeffrey Speir
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From: Garvey, Mark

Sent: Tuesday, November 14, 2017 5:14 PM

To: Miles, James <miles.james@epa.gov>; Toney, Anthony <Toney.Anthony@epa.gov>; Doa, Maria <Doa.Maria@epa.gov>; Star, David <star.david@epa.gov>; Tucker, Marlene <Tucker.Marlene@epa.gov>; Ellis, Tony <Ellis.Tony@epa.gov>; Sullivan, Greg <Sullivan.Greg@epa.gov>; Saenz, Diana <Saenz.Diana@epa.gov>; Martinez, Jeffrey <Martinez.Jeffrey@epa.gov>; King, Carol <King.Carol@epa.gov>; Anderson, Kate <Anderson.Kate@epa.gov>; Bean, Mark <Bean.Mark@epa.gov>; Henry, Tala <Henry.Tala@epa.gov>; Allison, Rose <Allison.Rose@epa.gov>; Swan, Russell <Swan.Russell@epa.gov>; Bookman, Robert <Bookman.Robert@epa.gov>; Pratt, Stacie <Pratt.Stacie@epa.gov>; daw, harry <daw.harry@epa.gov>; Gorman, John <Gorman.John@epa.gov>; Klevs, Mardi <klevs.mardi@epa.gov>; Kemker, Carol <Kemker.Carol@epa.gov>; Denton, Loren <Denton.Loren@epa.gov>; Paul Buellesbach <paul.buellesbach@erg.com>; Dan-Tam Nguyen <Dan-Tam.Nguyen@erg.com>; Daryl Hudson <Daryl.Hudson@erg.com>; Schulz, Susan <Schulz.Susan@epa.gov>; DeDora, Caroline <DeDora.Caroline@epa.gov>; Davis, Lauren O. <Davis.LaurenO@epa.gov>; Gordon, Scott <Gordon.Scott@epa.gov>; Fite, Mark <Fite.Mark@epa.gov>; George, Verne <George.Verne@epa.gov>; Bates, Keith <Bates.Keith@epa.gov>; Mitchell, Ken <Mitchell.Ken@epa.gov>; Pollins, Mark <Pollins.Mark@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>; Bahk, Benjamin <Bahk.Benjamin@epa.gov>; Unger, LouAnn <unger.louann@epa.gov>; Bair, Rita <bair.rita@epa.gov>; Shoven, Heather <shoven.heather@epa.gov>; Field, Stephen <Field.Stephen@epa.gov>; Schwartz, Paul <Schwartz.Paul@epa.gov>; Davis, Molly <Davis.Molly@epa.gov>; Ireland, Laurie <Ireland.Laurie@epa.gov>; Moyer, Adam <moyer.adam@epa.gov>; Poy, Thomas <poy.thomas@epa.gov>; Speir, Jeffrey <speir.jeffrey@epa.gov>; Collins, Charlie <collins.charlie@epa.gov>; Aubee, Catherine <Aubee.Catherine@epa.gov>; rogers, rick <rogers.rick@epa.gov>; Wilson, Jennifer <wilson.jenniferA@epa.gov>; Harris, Kimberly <harris.kimberly@epa.gov>; Clark, Jacqueline <clark.jacqueline@epa.gov>; Duchovnay, Andrew <Duchovnay.Andrew@epa.gov>; Day, Christopher <Day.Christopher@epa.gov>; Coe, Mary <Coe.Mary@epa.gov>; Ramalho, Louis <Ramalho.Louis@epa.gov>; Lewis, Jennifer <Lewis.Jennifer@epa.gov>; Baptista, Chrisna <Baptista.Chrisna@epa.gov>; Niess, Claudia <niess.claudia@epa.gov>; Spann, Tony <Spann.Tony@epa.gov>; Timsina, Gopal <Timsina.Gopal@epa.gov>; Allenbach, Becky <Allenbach.Becky@epa.gov>; Mancusi-Ungaro, Philip <Mancusi-Ungaro.Philip@epa.gov>; Bush, William <Bush.William@epa.gov>; Janovitz, Sara <Janovitz.Sara@epa.gov>; Hall, Renea <Hall.Renea@epa.gov>; Shell, Karrie-Jo <Shell.Karrie-Jo@epa.gov>; Devkota, Om <devkota.om@epa.gov>

Subject: RE: Chemours - Enforcement Coordination Call -

Preparing for Thursday's call, I'm attaching the November 13, 2017, NOV by North Carolina and the sampling results from EPA's ORD identifying GenX in finished drinking water above the NC Health Goal Level that I received this week. Making sure everyone has these items since we may want to discuss them.

Mark Garvey

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Attorney
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NOTE: This email and its attachments may contain confidential information,
attorney-work product, enforcement sensitive material or privileged information.

-----Original Appointment-----

From: Miles, James

Sent: Friday, September 22, 2017 11:45 AM

To: Miles, James; Toney, Anthony; Doa, Maria; Star, David; Garvey, Mark; Tucker, Marlene; Ellis, Tony; Sullivan, Greg; Saenz, Diana; Martinez, Jeffrey; King, Carol; Anderson, Kate; Bean, Mark; Henry, Tala; Allison, Rose; Swan, Russell; Bookman, Robert; Pratt, Stacie; daw, harry; Gorman, John; Klevs, Mardi; Kemker, Carol; Denton, Loren; Paul Buellesbach; Dan-Tam Nguyen; Daryl Hudson; Schulz, Susan; DeDora, Caroline; Davis, Lauren O.; Gordon, Scott; Fite, Mark; George, Verne; Bates, Keith; Mitchell, Ken; Pollins, Mark; Theis, Joseph; Bahk, Benjamin; Unger, LouAnn; Bair, Rita; Shoven, Heather; Field, Stephen; Schwartz, Paul; Davis, Molly; Ireland, Laurie; Moyer, Adam; Poy, Thomas; Speir, Jeffrey; Collins, Charlie; Aubee, Catherine; rogers, rick; Wilson, Jennifer; Harris, Kimberly; Clark, Jacqueline; Duchovnay, Andrew; Day, Christopher; Coe, Mary; Ramalho, Louis; Lewis, Jennifer; Baptista, Chrisna; Niess, Claudia; Spann, Tony; Timsina, Gopal; Allenbach, Becky; Mancusi-Ungaro, Philip; Bush, William; Janovitz, Sara; Hall, Renea; Shell, Karrie-Jo; Devkota, Om

Subject: Chemours - Enforcement Coordination Call - TSCA CBI

When: Thursday, November 16, 2017 12:30 PM-1:00 PM (UTC-05:00) Eastern Time (US & Canada).

Where: 1-866-299-3188; 202-564-5161

Continuing bi-weekly call through Nov.